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*Attorneys for the BNP Paribas Defendants*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

-against-

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BNP PARIBAS S.A., BNP Paribas Arbitrage SNC,  
BNP Paribas Bank & Trust (Cayman) Limited,  
BNP Paribas Securities Services S.A.

Defendants.

Adv. Pro. No. 12-01576 (SMB)

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of the BNP  
Paribas Defendants' Motion to Dismiss and all prior pleadings and proceedings herein, BNP

Paribas S.A. (“BNPP SA”), BNP Paribas Arbitrage SNC (“BNPP Arbitrage”), BNP Paribas Securities Services S.A. (“BNPP SS”), and BNP Paribas Bank & Trust (Cayman) Limited (“BNPP Cayman”) (collectively, the “BNP Paribas Defendants”) will move this Court at the Alexander Hamilton Customs House, Courtroom 723, One Bowling Green, New York, New York, on March 6, 2018 at 2:00 P.M. for an order pursuant to Rule 12(b)(2), 12(b)(5), 12(b)(6), and 15(a) of the Federal Rules of Civil Procedure dismissing the Trustee’s claims with prejudice.

PLEASE TAKE FURTHER NOTICE that pursuant to the agreement of the parties, the Trustee’s response will be due on December 20, 2017, and the BNP Paribas Defendants’ reply will be due on January 19, 2018.

Dated: New York, New York  
October 25, 2017

Respectfully submitted,

**CLEARY GOTTlieb STEEN &  
HAMILTON LLP**

By: /s/ Breon S. Peace

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